

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:17-MJ-00239-DCK**

UNITED STATES OF AMERICA)	
)	
)	
v.)	
)	<u>ORDER</u>
)	
MARCUS LENARD ARMSTRONG,)	
)	
)	
)	

THIS MATTER IS BEFORE THE COURT on Defendant's "Motion For Return of Property" (Document No. 25) filed July 9, 2019 and the Government's Response (Document No. 26) filed August 8, 2019. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion, the record, and applicable authority, the undersigned will grant the motion in part and deny the motion in part.

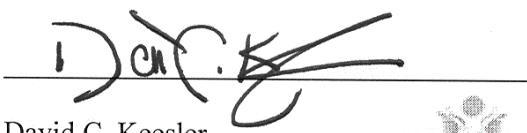
In his motion, Defendant seeks the return of the following items: \$1,500; a wallet that contains State IDs and bank cards; Tom Ford eyeglasses; and two phones. (Document No. 25, p. 1). The Government agrees to the return of the wallet including its contents, and the \$1,500, on the condition that Defendant designates in writing a person who will receive the items on his behalf. (Document No. 26, p. 1). The Government also suggests the Court should hold sufficient funds to pay the special assessment Defendant owes. Id. at 1-2.

IT IS, THEREFORE, ORDERED that Defendant's "Motion For Return of Property" (Document No. 25) be **GRANTED** in part and **DENIED** in part.

IT IS FURTHER ORDERED that the Government shall return to Defendant the wallet including its contents, and the balance of the \$1,500 after requiring that \$100 be directed to pay Defendant's special assessment; this return is contingent upon Defendant designating in writing a person who will receive the items on his behalf.

IT IS FURTHER ORDERED that except as ordered above, no other items shall be returned.

Signed: October 28, 2019



David C. Keesler
United States Magistrate Judge

